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Company:	U.S. Patent & Trademark Office	Date:	May 7, 2003
Fax:	(703) 872-9315	Pages:	3 (including coversheet)
Your Re:	09/474,359	Our Re:	ITL0294US (P7827)

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Confirm Receipt

MESSAGE:

Applicant: Jeff C. Morriss
Serial No. 09/474,359
Filing Date: December 29, 1999
Title: Skew Correction Circuit

1. Request for Reconsideration

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: Jeff C. Morriss § Art Unit: 2634
Serial No.: 09/474,359 §
Filed: December 29, 1999 § Examiner: Kevin Kim
Title: Skew Correction Circuit § Docket No. ITL.0294US (P7827)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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REQUEST FOR RECONSIDERATION

Dear Sir:

In a Final Office Action mailed on April 30, 2003, the Examiner maintained the § 103 rejections of claims 7-9, 13-15 and 19. The Examiner states, "Applicant's arguments fail to address such combination." Final Office Action, 2. However, Applicant has no duty to rebut a case of obviousness when the Examiner has failed to establish a *prima facie* case of obviousness. More specifically, the Examiner must specifically cite some language in the prior art showing the motivation or suggestion to combine the three references in the manner set forth by the Examiner. *Ex parte Gambogi*, 62 USPQ2d 1209, 1212 (Bd. Pat. App. & Int. 2001); *In re Rijckaert*, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993); M.P.E.P. § 2143. Because the Examiner has failed to show any specific support for the suggestion or motivation to combine these references, a *prima facie* case of obviousness has not been established. Thus, reconsideration of the § 103 rejections for at least this reason is requested.

Additionally, a *prima facie* case of obviousness is not established for the reason that the Examiner fails to show where any of the references teaches the first circuit of independent claim

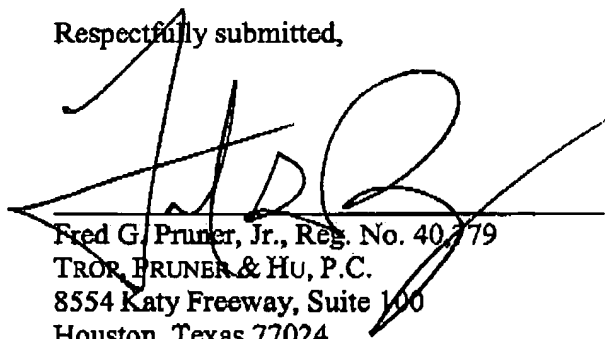
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Janice Munoz

1 or the regulation of a timing relationship between a data bit and a second strobe signal based on the degree of skew of independent claim 13. The Examiner still fails to show where any of the cited references teaches the first circuit of claim 1 or the regulating of claim 13. Therefore, for at least this additional, independent reason, the Examiner fails to establish a *prima facie* case of obviousness for claims 7-9, 13-15 and 19.

Thus, for at least the reasons set forth above, withdrawal of the § 103 rejections is requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0294US).

Respectfully submitted,

Date: May 7, 2003



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